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June 29, 2011

VIA FACSIMILE AND REGULAR MAIL

Jeff S. Jordan, Esq.
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463
Fax: 202.219.3923

Re: MUR 6465; Response of Respondent Shawn Schoeffler

Dear Mr. Jordan:

The purpose of this letter is to respond on behalf of Shawn Schoeffler to the Complaint made to the Federal Election Commission (the "Commission") by Citizens for Responsibility and Ethics in Washington filed on April 5, 2011 (the "Complaint").

I hope to persuade you the Commission that the use of its resources here is not warranted. This is not to say that the allegations made in the Complaint are not serious, or that the Complainant's mission to protect the right of citizens to be informed about the activities of government officials and ensure the integrity of our electoral process is not a laudable one. The basis for our request that the matter be dismissed as to Mr. Schoeffler involves the nature and extent of his conduct and the fact that that same conduct is already the subject of inquiry before federal and state enforcement authorities in Arizona. Further, Mr. Schoeffler's actions subsequent to the alleged conduct in the Complaint demonstrate his good faith and respect for the electoral and enforcement processes.

Mr. Schoeffler worked for the Fiesta Bowl for sixteen years, holding a variety of positions, with his last role being Vice President of Media Relations. He was not part of the executive control group for the Fiesta Bowl; he did not participate in policy formulation, strategic planning, or managerial decisions concerning lobbying or political activity for the organization. His focus was on increasing the visibility of the Fiesta Bowl through his interaction with media professionals. He had no input or participation whatsoever in the lobbying or political activities of Fiesta Bowl management. He is not now, nor has he ever been, active in politics of any kind. To the extent he engaged in conduct that was noncompliant with the strictures of Title 11 of the Code of Federal Regulations, such conduct was unknowing and

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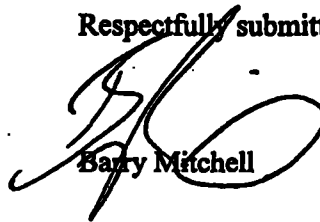
the product of a singular motivation: comply with the demands of then-Director of the Fiesta Bowl, John Junker, whom he trusted to make lawful and reasonable management decisions.

Mr. Schoeffler resigned from his position with the Fiesta Bowl in September 2009. He became aware of the issues addressed in the Complaint concerning the campaign contributions in October 2009, when a former Fiesta Bowl employee told him he had read up on the contributions and believed they were illegal. Since that time, and with no agenda other than trying to do the right thing, Mr. Schoeffler has made himself available to internal and outside inquiries concerning the conduct that is the subject of the Complaint. These inquiries include the initial internal investigation conducted by former Arizona Attorney General Grant Woods in December 2009, an investigation by the Arizona Secretary of State in February and March of 2010, an internal investigation conducted by the Special Committee of the Fiesta Bowl in November of 2010¹, and current ongoing investigations by state and federal authorities.

As an important aside, I would ask that the Commission take at face value that the investigations into the subject conduct, the Fiesta Bowl Final Report, the Complaint, and the relentless attendant media coverage have taken a severe toll on Mr. Schoeffler personally and professionally. Not one to blame others, Mr. Schoeffler accepts complete responsibility for his mistakes. It is incumbent upon his counsel to bring to the Commission's attention that the impetus for the contributions was Mr. Schoeffler's good faith reliance on John Junker's leadership and direction. Additionally, Mr. Schoeffler continues to contend with the pending state and federal matters arising from the contributions.

If I can provide any amplification or clarification to this response, please do not hesitate to contact me. Thank you for your efforts here.

Respectfully submitted,



Barry Mitchell

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¹ I have informed Special Committee counsel that information obtained from Mr. Schoeffler's open and complete participation in the Special Committee's investigation is privileged because of affirmative actions and omissions on the part of counsel that led Mr. Schoeffler to form a reasonable belief there was an attorney-client relationship between him and Special Committee counsel. Counsel did not agree with my assertion of the attorney-client privilege on behalf of Mr. Schoeffler and disclosed the information provided by Mr. Schoeffler in the Fiesta Bowl's March 29, 2011 "Final Report" without consent, over my objection.